

108TH CONGRESS  
2D SESSION

# H. R. 3965

To authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2004

Ms. WOOLSEY (for herself, Mr. SCOTT of Virginia, Ms. JACKSON-LEE of Texas, Mr. FROST, Mr. LAMPSON, Mr. CONYERS, Mr. BACA, Mr. SHERMAN, Mr. SCHIFF, Mr. MOORE, Mr. CARDOZA, Ms. SLAUGHTER, Mr. CHABOT, Mr. PAYNE, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Family Abduction Pre-  
5       vention Act of 2004”.

### 6   **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

1           (1) Each year more than 203,000 children in  
2           the United States (approximately 78 percent of all  
3           abducted children) are abducted by a family mem-  
4           ber, usually a parent.

5           (2) More than half of the parents who abduct  
6           their children have a history of alcohol or substance  
7           abuse, a criminal record, or a history of violence.

8           (3) The most common motive for family abduction  
9           is revenge against the other parent, not protecting  
10          the child's safety.

11          (4) Children who are abducted by family mem-  
12          bers suffer emotional, psychological, and often physical  
13          abuse at the hands of their abductors.

14          (5) Children who are victims of family abduc-  
15          tions are forced to leave behind family, friends, their  
16          homes, their neighborhoods, their schools, and all  
17          that is familiar to them.

18          (6) Children who are victims of family abduc-  
19          tions are often told that the parent who did not  
20          abduct the child has died, does not love them, or will  
21          harm them.

22          (7) Children who are abducted by their parents  
23          or other family members are sometimes forced to  
24          live in fear of discovery and may be compelled to

1       conceal their true identity, including their real  
2       names, family histories, and even their gender.

3           (8) Children who are victims of family abduc-  
4       tions are often denied the opportunity to attend  
5       school or to receive health and dental care.

6           (9) Child psychologists and law enforcement au-  
7       thorities now classify family abduction as a form of  
8       child abuse.

9           (10) Approximately 70 percent of local law en-  
10      forcement agencies do not have written guidelines  
11      for what to do in the event of a family abduction or  
12      how to facilitate the recovery of an abducted child.

13          (11) The first few hours of a family abduction  
14      are crucial to recovering an abducted child. Valuable  
15      hours are lost when law enforcement is not prepared  
16      to employ the most effective techniques to locate and  
17      recover abducted children.

18          (12) When parents who may be inclined to  
19      abduct their own children receive counseling and  
20      education on the harm suffered by children under  
21      these circumstances, the incidence of family abduc-  
22      tions is greatly reduced.

23          (13) Where practiced, the flagging of school  
24      records has proven to be an effective tool in assisting  
25      law enforcement authorities find abducted children.

1 **SEC. 3. GRANTS TO STATES.**

2 (a) MATCHING GRANTS.—The Attorney General shall  
3 make grants to States for projects involving—

4 (1) the extradition of individuals suspected of  
5 committing a family abduction back to the State  
6 from which the child was taken;

7 (2) the investigation by State and local law en-  
8 forcement agencies of family abduction cases;

9 (3) the training of State and local law enforce-  
10 ment agencies in responding to family abductions  
11 and recovering abducted children, including the de-  
12 velopment of written guidelines and technical assist-  
13 ance;

14 (4) outreach and media campaigns to educate  
15 parents on the dangers of family abductions; and

16 (5) the flagging of school records.

17 (b) MATCHING REQUIREMENT.—Not less than 50  
18 percent of the cost of a project for which a grant is made  
19 under this section shall be provided by non-Federal  
20 sources.

21 **SEC. 4. DEFINITIONS.**

22 In this Act:

23 (1) The term “family abduction” means the  
24 taking, keeping, or concealing of a child or children  
25 by a parent, other family member, or person acting  
26 on behalf of the parent or family member, that pre-

1 vents another individual from exercising lawful cus-  
2 tody or visitation rights.

3 (2) The term “flagging” means the process of  
4 notifying law enforcement authorities of the name  
5 and address of any person requesting the school  
6 records of an abducted child.

7 (3) The term “Indian tribe” means any Indian  
8 tribe, band, nation, or other organized group or com-  
9 munity, including any Alaska Native village or re-  
10 gional or village corporation as defined in or estab-  
11 lished pursuant to the Alaska Native Claims Settle-  
12 ment Act (43 U.S.C. 1601 et seq.), which is recog-  
13 nized as eligible for the special programs and serv-  
14 ices provided by the United States to Indians be-  
15 cause of their status as Indians.

16 (4) The term “State” means each of the several  
17 States, the District of Columbia, the Commonwealth  
18 of Puerto Rico, the Commonwealth of the Northern  
19 Mariana Islands, American Samoa, Guam, the Vir-  
20 gin Islands, any territory or possession of the United  
21 States, and any Indian tribe.

22 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

23 For the purpose of carrying out this Act, there are  
24 authorized to be appropriated to the Attorney General

- 1 \$500,000 for fiscal year 2005 and such sums as may be
- 2 necessary for each of fiscal years 2006 and 2007.

